

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/743,255	GERSCHEFSKE ET AL.	
	Examiner	Art Unit	
	Victor K. Hwang	3764	

All Participants:

(1) Victor K. Hwang.

(2) Thomas P. Hilliard.

Status of Application: ____

(3) ____.

(4) ____.

Date of Interview: 10 April 2006

Time: ____

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☒ Yes ☐ No

If Yes, provide a brief description: *Proposed Examiner's amendment was faxed to Mr. Hilliard April 5, 2006 for consideration..*

Part I.

Rejection(s) discussed:

Claims discussed:

30, 34 and 36-39

Prior art documents discussed:

Art of record

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

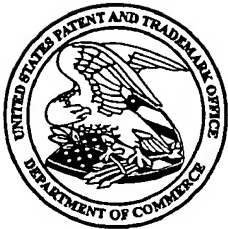
Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed:
Authorization for Examiner's amendment to correct typographical errors in the specification and to overcome the prior art of McBride. Claim 30 was canceled because it was considered to require further consideration involving new issues. Claim 34 was canceled because it was believed to read upon the prior art of record..



Part of Interview
Summary

TELECOPY/FACSIMILE TRANSMISSION COVER SHEET

Date: 4/5/06

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(Facsimile No.) 703-770-7901

From: (Examiner) Victor Hwang, Art Unit 3764

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Re: Application Serial Number 10/743,255

Attorney Docket Number 060012-0307440

NUMBER OF PAGES TRANSMITTED 9 (INCLUDING THIS COVER PAGE)

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NOTE:

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PROPOSED EXAMINER'S AMENDMENT

The application is proposed to be amended as follows:

In the Specification:

A) Amend paragraphs [0039]-[0042] as follows:

[0039] The tower 104 includes a set of flexible exercising pull lines 113 ~~442~~, the pull lines 113 ~~442~~ directed by swiveling directional pulley assemblies 114 to extend downwardly and forwardly from the tower 104 when in use. The pull lines 113 ~~442~~ terminate in user interconnect, or grip, assemblies 128. The grip assemblies 128 in this embodiment include a set of nested nylon loops 129 connected to the pull lines 113 ~~442~~ by means of metal rings 127. The grip assemblies 128 are suitable for either a user's hands or feet.

[0040] The pull lines 113 ~~442~~ are coupled to a retractable spring system, generally indicated at 116. The spring system 116 is comprised of two identical spring sub-assemblies 118. Each sub-assembly 118 is comprised of three springs 120 connected to a connecting plate 122. In each sub-assembly 118, pull lines 113 ~~442~~ run between a first pulley set 124 connected to the connecting plate 122 and a second pulley set 126 proximate to the top of the tower 104 before running into the directional pulley assemblies 114. The structure and function of the spring system 116 will be further described below.

[0041] In this embodiment, a lower set of directional pulleys 114 and a lower set of grip assemblies 128 are provided on a lower portion of the tower 104. The first and second pulley sets 124, 126 of this embodiment are double pulley sets, and the pull lines 113 ~~442~~ and pulley sets 124, 126 are constructed and arranged such that each spring sub-assembly 118 provides

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resistance for an upper and a lower set of grip assemblies 128 (e.g., the left-side spring sub-assembly provides resistance for the left-side upper and left-side lower grip assemblies 128).

[0042] The apparatus 100 also includes a bench assembly, generally indicated at 130, configured and positioned to support a user in a prone, supine or sitting position so as to enable the user to use the grips 128 to pull the pull lines 113 442. The bench assembly 130 includes a bench 136 and bench pad 138 connected to a bench frame 178, 166, 168, 172. The bench 136 is moveable between a raised operative user supporting position and a lowered operative position in which the bench pad 138 and bench 136 are disposed adjacent to the bench frame 178, 166, 168, 172. In Figure 1, a removable chest and back support 132 for supporting a user in sitting positions is also shown. The removable chest and back support 132 is connected to the bench frame by means of two receptacles 134, one receptacle extending from the bench frame 140 on either side of the bench 136.

B) Amend paragraphs [0046]-[0048] as follows:

[0046] Figure 3 is a rear elevational view of the assembled exercise apparatus 100 with the bench assembly 130 in the raised operative user supporting position. The spring system 116 and each of its two sub-assemblies 118 are shown in this figure. In this embodiment, each spring 120 is a metallic tension spring with a full loop at each end. However, it is contemplated that the function of the springs 120 may be performed by an elastomeric strap, an elastic cord or any other elastic, extensible, resilient member. The springs 120 are attached with S-hooks 154 at their lower ends to a flange 152 welded to a lower portion of the tower 104 and by S-hooks 156

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~~154~~ at their upper ends to the connecting plates 122. The connecting plates 122 are pivotally connected to the first pulley sets 124 by pivoting bolted connections ~~156~~.

[0047] In the exercise apparatus 100, several pegs 160 are fixedly mounted to a tower crossmember 158, which is fixed to the tower 104 at approximately the level of the tops of the springs 120. The resistive force provided by each of the spring sub-assemblies 118 can be adjusted by detaching one or more of the springs 120 from the S-hooks 156 ~~154~~ that connect them to the connecting plate 122. Springs 120 that are detached from the connecting plate 122 can be temporarily stored by placing the end of the spring on one of the pegs 160. Preferably, the user removes only the center spring 120 from the each connecting plate 122 so that the connecting plate 122 remains balanced, but because the connecting plate 122 is pivotally mounted for rotation about an axis defined by the bolted connection ~~156~~, a user may remove either one or two springs from each of the spring sub-assemblies 118 and continue to use the apparatus 100 with a commensurately reduced amount of resistance. Alternately, a user may choose to reduce or increase the resistance provided by only one of the spring sub-assemblies 118, for instance, to compensate for a strength imbalance in the limbs or an injury to a particular limb.

[0048] The exercise apparatus 100 uses a total of two pull lines 113 ~~112~~; a single pull line runs from each spring sub-assembly 118 to the upper and lower grip assemblies 128 served by that assembly. One end of the pull line 113 ~~112~~ is attached to the grip structure 128 and the upper directional pulley 114. From the upper directional pulley 114, the pull line extends through the first pulley set 124, and from the first pulley set 124 to the second pulley set 126. The pull line 113 ~~112~~ then extends from the second pulley set 126 to the lower directional pulley

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114, terminating at the grip assemblies 128. The arrangement of the first and second pulley sets 124, 126 and the pull lines 113 ~~112~~ allows the user to use both the upper and lower grip assemblies 128 that are attached to the same spring sub-assembly simultaneously. The arrangement of the pulleys 124, 126 and pull lines 113 ~~112~~ also provides the user with a significant mechanical advantage against the resistive bias of the spring sub-assemblies; therefore, relatively stiff springs (i.e., springs having a large spring constant) may be used to provide adequate resistance for some exercises.

C) Amend paragraph [0056] as follows:

[0056] If the exercise apparatus 100 is to be placed in its connected storage position, the user first places the bench assembly 130 in the lower operative position of Figure 5 ~~[[4]]~~ and then unscrews the threaded rod 146 that connects the crossbrace 144 ~~142~~ of the bench assembly 130 with the corresponding crossmember 142 ~~144~~ of the tower. With the pin 174 inserted into the fourth leg 168 to fix the bench assembly in the collapsed position, the user lifts the forward end of the bench assembly 130, thus rotating it about the pivot-crossbrace 148 in a counterclockwise direction until it extends vertically, abutting the tower 104. This position is illustrated in the side elevational view of Figure 8.

D) Amend paragraph [0059] as follows:

[0059] Figure 10 is a front elevational view of the apparatus 100 in the connected storage position. The underside of the bench 136 is visible, along with the rectangular ~~hanging~~ members

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178, and the rubber feet 180. As is shown in Figure 10, the knob and threaded rod 146 may be retained in the corresponding crossmember 144.

E) Amend paragraphs [0062] and [0063] as follows:

[0062] In Figure 12, the user P is depicted in a partially supine position, pulling the lower grip assemblies 128 with his or her feet. Following the position shown, the user P may either directly return to a fully supine position, allowing the pull line 113 ~~112~~ and grip assembly 128 to retract, or he or she may pull the feet up into a vertical position before returning to the fully supine position.

[0063] Figure 13 shows the user P in a sitting position, facing away from the tower 104. In this exercise, the user P pulls the lower grip assemblies 128 with the hands, making thrusting motions with the arms. The chest/back support 132 (not shown in Figure 13) may be installed for this exercise. Note that the movement of the user's arms is not coincidental in this exercise. Consequently, the movement of the grips 128 and pull lines 113 ~~112~~ is not coincidental, and therefore, the movement of the two spring sub-assemblies 118 is not coincidental. (In Figure 13, the springs 120 of the two sub-assemblies have different extended lengths, and therefore, the first pulley sets 124 of the sub-assemblies 118 are shown at different heights.) The independent movement of each spring sub-assembly 118 allows the user P to perform the illustrated exercise at a rate and resistance level appropriate for each arm.

F) Amend paragraphs [0074] and [0075] as follows:

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[0074] In bench assembly 330, a single, central floor contact member 362 is provided, extending in a direction parallel to that of the bench 336 proximate to floor level. Two crosspieces 364, 365 are fixedly connected to and extend in a direction perpendicular to the central floor contact member 362. One crosspiece 364 is fixedly connected to one of the terminal ends of the central floor contact member 362; the other crosspiece 365 is fixedly connected to the central floor contact member 362 just adjacent to the other terminal end of the central floor contact member 362. The ends of the crosspieces 364, 365 and the central floor contact member 362 are each provided with rubberized endcaps 312 to prevent slipping. Two legs 366 are pivotally mounted on the crosspiece 365 for rotation between the central floor contact member 362 and the bench 336, one leg 366 on each side of the central floor contact member 362. A third leg 366 is pivotally mounted between the central floor contact member 362 and the bench frame 336 at the opposite end of the central floor contact member 362. The extendable and retractable fourth leg 368 is pivotally mounted for rotation between the bench 336 and the central floor contact member 362. As in the bench assembly 130, the bench assembly 330 cannot be moved between the raised and lowered operative positions unless the length of the extendable and retractable fourth leg 368 ~~362~~ is changed. The fourth leg 368 ~~362~~ is held in position by a pin 374 inserted through holes ~~476~~ through the members of the leg.

[0075] Figure 23 is an exploded perspective view of the bench assembly 330 in its raised operative position, illustrating the attachment of the rotor assemblies 200 and the removable chest and back support 332. As shown, the connecting arm 204 of the rotor assemblies 200 inserts into the tubular, hollow rectangular member 378 at the forward end of the bench assembly 330. As in bench assembly 130, the tubular, hollow rectangular member 378 is fixedly attached

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to the underside of the bench 336, and may be provided with endcaps for use if the rotors 200 are not installed. In the bench assembly 330, rubber feet 380 are not installed on the tubular, hollow rectangular member; rather, they are installed on a separate tubular post 381 which projects downwardly from the underside of the bench 336.

In the Claims:

A) Cancel claims 30, 34 and 39. + 356

B) Amend claims 36 as follows:

36. (Currently Amended) An exerciser, comprising:

a frame assembly including a base structure and an upright structure fixed to said base structure and extending upwardly therefrom, said base structure having downwardly facing surfaces for engaging a horizontal surface in supported relation thereon and being structured and arranged such that said exerciser is freestanding on the horizontal surface;

an exercising mechanism carried by said frame assembly;

upper user interconnecting structures coupled to said exercising mechanism and being selectively extensible by an exercise of a user from an operative position at an upper end portion of said upright structure;

lower user interconnecting structures coupled to said exercising mechanism and being selectively extensible by an exercise of a user from an operative position at a lower portion of said upright structure;

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said exercising mechanism being structured and arranged to resilient resist the movement of the upper and lower user interconnecting structures away from said exercising mechanism; and

a bench assembly being removably and pivotally coupled to said frame assembly such that said bench assembly may be removed from said frame assembly and be ~~securely~~ pivotally attached to said frame assembly, said bench assembly being selectively pivoted to said frame assembly at a pivot end of said bench assembly so that said bench assembly may be moved between an operable position wherein the user may utilize said bench assembly for support, and a stored, upright position wherein a free end of said bench assembly that is opposite to said pivot end is adjacent to said upright structure,

wherein said bench assembly has a user supporting surface and a bench assembly support coupled to and extending from said user supporting surface, said bench assembly support being pivotably movable from a retracted position adjacent said user supporting surface and an extended position for supporting said bench assembly above the horizontal surface and also removing said bench assembly from said frame assembly.

C) Claim 37, line 1, replace "34" with --36--.

In the Drawings:

The following changes to the drawings are proposed by the examiner: the tubular members in Fig. 21 to which the tubular cradles 350 are attached is to be provided the identifying reference character "306". Or "306" may be deleted from line 6 of paragraph [0072].